



Image

AF#
1647

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: EIS-SCHWARTZ=21

In re Application of:

Michal EISENBACH-SCHWARTZ et al

Appln. No.: 09/893,344

Filed: June 28, 2001

For: USE OF POLLY-GLU, TYR AND T CELLS
TREATED THEREWITH FOR
NEUROPROTECTIVE THERAPY

Conf. No.: 1157

Art Unit: 1647

Examiner: C. Nichols

Washington, D.C.

February 2, 2004

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated September 2, 2003, of the Primary Examiner. The claims appealed are claims 32-35, 37, 38, 40, 42, 43, 48, 50, 53, 54, 56 and 58-60.

The item(s) checked below are appropriate:

 Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$330.00

 \$165.00 (small entity)

 Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

[] First - \$ 55.00

[] Second - \$210.00

[] Third - \$475.00

[] Fourth - \$740.00

month after time period set

Other Than Small Entity
Response Filed Within

[] First - \$ 110.00

[X] Second - \$ 420.00

[] Third - \$ 950.00

[] Fourth - \$1480.00

month after time period set

[] Less fees (\$) already paid for months extension of time on .

 A check in the amount of \$ is attached. (Check No.)

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 750.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

02/04/2004 EFLORES 00000118 09893344

01 FC:1401

330.00 OP

02 FC:1252

420.00 OP

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

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